

COMMISSION MEETING MINUTES

Indiana Fire Prevention and
Building Safety Commission
Government Center South
302 W. Washington Street
Indianapolis, Indiana 46204
Conference Center Room B

December 6, 2016

Pursuant to IC 22-12-2-6, the Indiana Fire Prevention and Building Safety Commission's regular monthly meeting was opened by Chairman Hawkins at 9:00 a.m. on December 6, 2016.

(a) Commissioners present at the Commission meeting:

Ron Brown
Gregory Furnish
Kevin Goeden, representing the Commissioner, Department of Labor
John Hawkins, Chairman
Todd Hite, representing the Commissioner, Department of Health
James Jordan
Matt Mitchell, Vice-Chairman
Patrick Richard
Craig Von Deylen

(b) Commissioners not present at the Commission meeting:

James Hoch
Jessica Scheurich

(c) The following departmental and support staff were present during the meeting:

Legal and Code Services

Dean Illingworth, State Building Law Compliance Officer
Denise Fitzpatrick, Code Specialist
Beth Sutor, Secretary for the Commission
James Schmidt, Deputy Attorney General

2. Old Business

Chairman Hawkins called for a motion for approval of the November 2, 2016, meeting minutes. Commissioner Brown requested that he be identified as having voted nay on variance 16-10-34,

Red Tail Farm Event Barn, Goshen, found on page 5. Commissioner Richard moved to approve the minutes, with the second by Commissioner Jordan. It was voted upon and carried.

3. Ordinances

Unsafe Buildings, Vacant Buildings Maintenance & Repair Ordinance
Monrovia, Indiana

A question had been raised concerning the structural stability check on page 5. It was decided to table to request an opinion legal from Legal. Commissioner Richard had originally moved to approve, but following further discussion, changed the motion to table, with the second by Commissioner Von Deylen. It was voted upon and carried.

Ogden Dunes Ordinance No. 812
Ogden Dunes, Indiana

The ordinance presented had been dated November 2, 2015, and appeared to be the same ordinance denied in March of 2016. It was resubmitted in October of 2016 and returned for corrections. It was again tabled in November, as it appeared to be the same ordinance once again. Commissioner Richard moved to deny, with the second by Commissioner Von Deylen. It was voted upon and carried.

Ordinance No. 2016
Long Beach, Indiana

The submission appeared to be an unsigned draft. Staff was asked to send a letter requesting a copy of the final signed and dated ordinance for consideration. Kenneth Purze, spokesman for local stakeholders, voiced concern that the ordinance should be properly vetted, feeling there was a disconnect at the local level.

Ordinance No. 1026-OR
Jeffersonville, Indiana

The submission appeared to be an unsigned draft. Staff was asked to send a letter requesting a copy of the final signed and dated ordinance for consideration.

Ordinance 15-42
Greenwood, Indiana

Krista Taggart, Greenwood Corporation Counsel, noted that their ordinance had to be approved by the Commission according to a statement from a circuit court judge order that the Commission

had to review every zoning ordinance in the state, which caused concern in some Commissioners. Commissioner Furnish moved to table the ordinance to allow for a legal opinion from the General Counsel to determine if this was something the Commission had jurisdiction by statute to approve. Commissioner Brown made the second. It was voted upon and carried with an abstention by Commissioner Von Deylen.

Chairman Hawkins noted a log of submission dates of ordinances needed to be established, and letters of any Commission actions need to be sent to the submitters.

4. Discussion of IRC Section N1106 Performance Based Alternative and Section R106

Chris Schwarzkopf, Nathan Kleist, and Jeff Dienes of Energy Diagnostics, Valparaiso, Indiana, addressed the members of the Commission. Chairman Hawkins warned the proponents that they were not allowed to name any specific projects during their presentation, to which the gentlemen readily agreed. They noted that in the previous year, the typical slab-on-grade detail was trenched about three feet deep, filled with concrete, and the back side of the trench had about 32" of foam applied up to the slab, leaving the slab portions unprotected from the elements. This summer, the local jurisdiction and the modeling software used decided that was not good enough, and a way to provide better protection was sought. A detail provided by the proponents showed rebar penetrating the insulation. This is a condition accepted by some locals, and some locals are not accepting anything without an engineer's stamp on it. As energy advisors, they had decided to downgrade the insulation to grade 1 or 2 if needed. One particular local official still refuses to accept it without an engineer's stamp on this project and, by hearsay, on all houses being built in his jurisdiction with that detail. As energy advisors dealing with energy issues under the performance path, they felt they should be able to sign off on it since they understand if the structure complies with the Energy Code, and sought guidance from the Commission. Following discussion, it was determined that a Non-Rule Policy

Breaking and reconvening: Chairman Hawkins recessed the Commission at 10:30 a.m. It was called back to order at 10:45 a.m.

5. Variances

Tabled

There were no tabled A/B variances to discuss.

C/D/NVR

16-07-01 Chairlift Installation, Newtown – incomplete

No proponent was present to answer questions. Commissioner Brown moved to table, with the second by Commissioner Richard. It was voted upon and carried.

16-09-03 Spring Valley Camp Pool, Middletown

No proponent was available to answer questions. Commissioner Furnish moved to table, with the second by Commissioner Brown. It was voted upon and carried.

16-09-79(a)(b) Muscatatuck Camp, North Vernon

No proponent was available for questions. Following discussion, Commissioner Von Deylen moved to deny based on the application's lack of substantive nature. Commissioner Brown made the second. It was voted upon and carried.

16-11-02 Temporary Sales Trailers, Indianapolis

No proponent was available for questions. Commissioner Furnish moved to table, with the second by Commissioner Von Deylen. It was voted upon and carried.

16-11-16 Cottage 2 Activity Room Addition, Jeffersonville

Louis Sydell, TEG Architects, spoke as proponent. He stated that they would be putting in the 13D sprinkler system. Commissioner Furnish moved to approve with the condition that a 13D sprinkler system be installed in all the bedrooms. Commissioner Von Deylen made the second. It was voted upon and carried.

16-11-23 Cityscape Townhomes, Ft. Wayne

The variance was withdrawn by the proponent.

16-11-30(a) Renaissance District Dock Additions, South Bend

The variance was withdrawn by the proponent.

16-11-43 Pike High School, Indianapolis

No proponent was available for questions. Commissioner Furnish moved to table, with the second by Commissioner Von Deylen. It was voted upon and carried.

16-11-52 Morphe Construction Office Remodel, Indianapolis

No proponent was available for questions. Commissioner Furnish moved to table, with the second by Commissioner Jordan. It was voted upon and carried.

Tabled, Incomplete

16812 Plant 1, Russiaville
17119 Fairfield Inn & Suites, Anderson

The applications were still incomplete and ineligible to be heard. Commissioner Von Deylen moved to table both, with the second by Commissioner Hite. It was voted upon and carried.

New Variances

Chairman Hawkins called for any variances in the A/B category which were to be called out for individual consideration. There were none. Chairman Hawkins then declared he would be abstaining from the vote on 16-12-22, Crawford 2 Apartments, Bloomington. Commissioner Von Deylen then moved to approve all A and B variances eligible for the block vote. Commissioner Mitchell made the second. It was voted upon and carried.

The following variances were approved as submitted:

16-12-16 1331 S. Winfield Rd. Windows, Bloomington
16-12-17(a)(b) Woodland Terrace of New Palestine, New Palestine
16-12-18 Tinker House, Indianapolis
16-12-19 Garden View Senior Apartments, Elkhart
16-12-20 Purdue University Controlled Environment Phenotyping Facility, West Lafayette
16-12-21 Lilly K180-190-191, Indianapolis
16-12-22 Crawford 2 Apartments, Bloomington
16-12-23 Urban Station Building A, Bloomington
16-12-24(a)(b) Urban Station Building B, Bloomington
16-12-25 Harmony Towns and Flats, Westfield
16-12-26 Purdue Research Park Aerospace District, West Lafayette
16-12-27 Central Catholic School Addition, Indianapolis
16-12-28 619 N. Morton St. Bloomington
16-12-29 Borders Office and Residence, Indianapolis
16-12-30(a)(b) Eagles Theatre Renovation, Wabash
16-12-31(a)(b)(c)(d) University of Notre Dame Men's Residence Hall, Notre Dame
16-12-32 University of Saint Francis Chapel, Ft. Wayne
16-12-33 Silver Oaks Health Campus, Columbus
16-12-34(a)(b) Maconaquah Middle School Addition & Renovation, Bunker Hill
16-12-75(a)(b)(c)(d) Purdue University Flex Lab Facility, West Lafayette

C/D/NVR

16-12-01 Stacy's Excavating, Arcadia

Nathan Stacy spoke as proponent. The request was to allow the conversion of an existing 3,900 square foot pole barn to a storage building for work material and machinery. A restroom will not be provided. The site has no water, the building will not have an office area, and staff will be in the building for no more than thirty minutes a day. Following discussion, Commissioner Richard moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried.

16-12-02 Single Tenant Office / Warehouse, Camby

James Weaver spoke as proponent. The request was to allow the owner to winterize the sprinkler system, at the request of the insurer, by draining the system in the unoccupied, unheated building. It is concrete block and steel building with 20 foot ceilings, and is currently for sale or lease. If a buyer/tenant is secured, the system will be reactivated. Joel Thacker, Plainfield Fire Department, agreed so long as it is reactivated before it is occupied. Commissioner Von Deylen moved that no variance was required, with the second by Commissioner Mitchell. It was voted upon and carried.

16-12-03 Providence at Old meridian, Carmel

No proponent was available for questions. Commissioner Furnish moved to table, with the second by Commissioner Von Deylen. It was voted upon and carried.

16-12-05 West Broadway Shopping Center, Princeton

No proponent was available for questions. Commissioner Von Deylen moved to table, with the second by Commissioner Richard. It was voted upon and carried.

16-12-06 Maple Grove Elementary School, Bargersville

16-12-07 Pleasant Grove Elementary School, Greenwood

16-12-08 Center Grove Elementary School, Greenwood

16-12-09 Center Grove Middle School North, Greenwood

16-12-10 Center Grove Middle School Central, Greenwood

16-12-11 Sugar Grove Elementary School, Greenwood

16-12-12 North Grove Elementary School, Greenwood

No proponent was available to answer questions. Mike Arany, White River Twp. Fire Department, addressed the Commission, stating he had been working with the proponent and did not object to the variances. He also noted that Maple Grove Elementary was not in his district. Following discussion, Commissioner Hite moved to table 16-12-06, Maple Grove Elementary School, Bargersville, with the second by Commissioner Von Deylen. It was voted upon and carried. Commissioner Von Deylen moved to approve Pleasant Grove Elementary, Center Grove Elementary, Center Gove Middle School North, Center Grove Middle School Central, Sugar Grove Elementary and North Grove Elementary, with the second by Commissioner Jordan. It was voted upon and carried.

16-12-13Memory Care Unit Disguised Doors, Brownsburg

No proponent was available for questions. Commissioner Von Deylen moved to table, with the second by Commissioner Richard. It was voted upon and carried.

16-12-14 Maple Lane Metals, Grabil – incomplete

The application was incomplete and ineligible to be heard. Commissioner Mitchell moved to table, with the second by Commissioner Von Deylen. It was voted upon and carried.

16-12-15 residences on Ronald Regan Fire Monitoring, Avon – incomplete

The application was incomplete and ineligible to be heard. Commissioner Mitchell moved to table, with the second by Commissioner Von Deylen. It was voted upon and carried.

16-12-35(a)(b) Wa-Nee 2017 Additions & Renovations Northwood High School, Nappanee

Dennis Bradshaw, FP&C Consulting, spoke as proponent. In variance (b) the request was to allow the use of 2-hour fire barrier walls to separate the existing and new construction. The smoke detection system will be extended into the additions. Following discussion, Commissioner Von Deylen moved to approve, with the second by Commissioner Hite. It was voted upon and carried with a nay vote by Commissioner Brown. The request in variance (a) was to allow the use of horizontal exits for both of the exits from the music room. The corridor within the new addition will be one-hour rated, and the existing smoke detection system will be extended into the new construction. Following discussion, Commissioner Von Deylen moved to table, with the second by Commissioner Brown. It was voted upon and carried.

16-12-36(a)(b) Steel Dynamics Inc. HSM/MSM Locker Addition, Columbia City

Christina Collester, RTM Consultants, spoke as proponent. Variance (b) had been eligible for the block vote. Commissioner Von Deylen moved to approve, with the second by Commissioner Brown. It was voted upon and carried. Variance (a) was a request to allow a two-story locker room addition to an existing F-2 unlimited area building. The addition is to be sprinklered. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried.

16-12-37 Stamping Plant Addition, Elwood

Christine Collester, RTM Consultants, spoke as proponent. An addition is being made to the existing, fully sprinklered building. The request is to allow the fire access road for the west side of the addition to match the existing access road, and measure 13 feet instead of the required 20 feet. The width is due to site constraints, and the fire department does not object. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried.

16-12-38(a)(b) Claywood Event Center, Nappanee

Mark Borkholder spoke as proponent. The request in (a) was to exceed the allowable area for Type II-B construction. The request in variance (b) is to omit sprinklers. The building will be used by the Amish community to host weddings and other events such as school fundraisers and volleyball games. A 3-hour masonry firewall will be used to separate the front portion of the

building, which has tables and chairs, from the back of the building, which houses the volleyball courts. There is no city water available, and power is provided by a generator. Following a lengthy discussion, Commissioner Von Deylen moved to approve both variances with the conditions that a 3-hour fire barrier tied to the roof shall be provided. An NFPA 72 alarm system shall be installed. Kitchen walls shall be 1-hour rated. The north stair shall be reversed and exit directly outside. The second floor shall be used only as a "B" occupancy. Commissioner Furnish made the second. It was voted upon and carried, with two nay votes.

16-12-39(a)(b) Developer Village Evansville, Evansville

A proponent was not available for questions. Roger Lehman, RLehman Consulting, offered to answer whatever questions he could for the Commission, but was unable to answer enough to allow the Commission to proceed. Commissioner Von Deylen moved to table both (a) and (b), with the second by Commissioner Brown. It was voted upon and carried.

16-12-40 Spectra Tech, Noblesville

No proponent was available for questions. Commissioner Von Deylen moved to table, with the second by Commissioner Brown. It was voted upon and carried.

16-12-41 Hwy 57 Farm Market, Evansville

Roger Lehman, RLehman Consulting, spoke as proponent. An existing farm market with all gravel drives and parking area does not have a solid surface route to a public way. The public way in this instance is a busy county road without shoulders. The owner feels it would be hazardous for anyone to use a sidewalk from the market to the road since it has no shoulder, and the proponent stated he was especially concerned that children would run down the sidewalk and into traffic. Following discussion, Commissioner Von Deylen, noting this would be relief from the Indiana Accessibility Code only, moved to approve, with the second by Commissioner Brown. It was voted upon and carried with one nay vote.

16-12-42 Ruoff Home Mortgage Remodel, Evansville

Roger Lehman, RLehman Consulting, spoke as proponent. An existing VB construction office is over area for current code and code of record, a situation missed during previous inspections. The code requires a structurally independent fire wall to separate fire areas, but the multi-hip roof configuration and door openings in both ends of the fire wall plane make compliance impossible. The owner will install a compliant 2-hour fire barrier on this tenant side of the wall since the other side of the proposed fire barrier wall is an occupied space. Following discussion, Commissioner Von Deylen moved to approve, with the second by Commissioner Jordan. It was voted upon and carried, with one nay by Commissioner Brown.

16-12-43 Traders Point Christian Church Downtown, Indianapolis

Melissa Tupper, RTM Consultants, spoke as proponent. An existing platform in the sanctuary of a 1912 church is being reconstructed since it is structurally unsound. They also wish to extend it

into the sanctuary by approximately 220 square feet, while not providing an accessible route. The lack of an accessible route is an existing condition, and since the church is exempt from ADA requirements, not required by Federal law. Following discussion, Commissioner Von Deylen moved to approve, with the second by Commissioner Richard. It was voted upon and carried.

16-12-44 Azteca 2016 Warehouse Addition, Evansville

Roger Lehman, RLehman Consulting, spoke as proponent. The request is to allow the new addition to not have a fire department access road within 150 feet of all parts of the building. To do so would place the fire apparatus under high voltage wires, and the neighboring business, Vectren Electric Utility, does not want pavement in their easement. The owner will increase the sprinkler density at the rear of the building, while the front of the building has multiple overhead doors providing access to the interior of the warehouse. Following discussion, Commissioner Von Deylen moved to approve, with the second by Commissioner Richard. It was voted upon and carried.

16-12-45 Longbranch, Indianapolis

Carrie Ballinger, RTM Consultants, spoke as proponent. The issue was that 2 toilet rooms for employees would be opening directly into the kitchen food prep area. The restroom is fully enclosed with a tight-fitting and self-closing door, meeting the Retail Food Establishment Sanitation Requirements, enforced by the State Board of Health. Following discussion, Commissioner Von Deylen moved to approve, with the second by Commissioner Hite. It was voted upon and carried.

16-12-46 Maumee One LLC Apartments, Angola

Tim Callas, J&T Consulting, spoke as proponent. An existing 2-story office building of Type IIIB construction will convert the second floor to an R-2 occupancy. A Chapter 34 review was done and all but General Safety was passed, needing 8.7 points. The request was to grant the necessary points to pass. The second floor will be protected with an NFPA 13R fire suppression system, while the entire building will have a fire alarm and smoke detection system. Egress windows will be provided and 1-hour corridors will be provided on the second floor. Following discussion, Commissioner Von Deylen moved to approve, with the second by Commissioner Mitchell. It was voted upon and carried.

16-12-47(a)(b) 22nd and Delaware Apartments, Indianapolis

Carrie Ballinger and Ed Rensink, RTM Consultants, spoke as proponents. The request in variance (a) was to allow the clearance between countertop and refrigerator to be 37½" instead of a compliant 40". This condition appears in three units. The proponent claimed the refrigerator was an adaptable item and would be changed out upon request. Following a lengthy discussion, Commissioner Von Deylen moved to approve, with the second by Commissioner Mitchell. It was voted upon and carried. Variance (b) was to allow the door to a walk-in pantry, again an adaptable item per the proponent, from the kitchen to have a clear width of 24" instead of a compliant 31¾" in three units. Following discussion, Commissioner Von Deylen moved to deny, with the second by Commissioner Brown. It was voted upon and carried.

Breaking and reconvening: Chairman Hawkins recessed the Commission at 12 noon. It was called back to order at 1:00 p.m.

16-12-48 Purdue University Active Learning Center, West Lafayette

David Kish, Purdue University, spoke as proponent. The request is to omit standpipes in the central exit access stair of the fully sprinklered building. Standpipes will be in all other required stairways, as required by code. Following discussion, Commissioner Mitchell moved to approve, with the second by Commissioner Jordan. It was voted upon and carried.

16-12-49(a)(b) Five Points Kennels Addition, Indianapolis

Carrie Ballinger, RTM Consultants, spoke as proponent. An addition is to be made to an existing building used for animal boarding and grooming, with a large area for canine indoor play. The fire department access road will not be extended to within 150 feet of all portions of the addition. There is existing landscape berm on the southwest side per local zoning, and the east side of the addition will have outdoor chain link kennels to provide running space and boarding space. The request in (a) is to allow the access road to be approximately 300 feet of all portions of the building. Following a lengthy discussion concerning alternatives, Commissioner Furnish moved to table, with the second by Commissioner Hite to give the proponent time to speak with the owners. It was voted upon and carried. Variance (b) is a request to omit the required fire hydrant. The nearest public water is over a mile from the facility, and the fire station, located just over 4 miles away, has a tanker truck with 1,000 feet of hose. A lengthy discussion concerning placement of egress on the site was held. It was noted that the Playschool area had gates which, when opened, would provide the required access. Commissioner Brown then moved to approve with the condition that the facility have an NFPA 72 fire alarm system and compliant egress. Commissioner Von Deylen made the second. It was voted upon and carried.

16-12-50 Baca hart, Elkhart

Melissa Tupper, RTM Consultants, spoke as proponent. The request was to allow the use of constant pressure door locks for two time-out rooms used in the center for training and skill-development for people with Autism. The room, located in the therapy area, will have a 1 to 1 ratio of student to staff and monitor cameras. Commissioner Mitchell moved to approve, with the second by Commissioner Furnish. It was voted upon and carried.

16-12-51 Escape French Lick, French Lick

Thomas Schroeder, Schroeder & Associates, spoke as proponent. The facility provides a progressive game designed to build teamwork while solving the “puzzle” of how to open the locked doors to escape the rooms and win the game. The request is to allow electromagnetic locks which do not have hardware affixed to the door leaf. They wish to use the type of door latching system similar to that used in mental health care facilities which provide supervised detention. The doors unlock automatically at fire alarm system activation or loss of electrical power. The observer can also unlock the door remotely. Following a lengthy discussion, Commissioner Brown moved to approve until June 1, 2018, allowing time for inspectors and other officials to

find the necessary balance between public safety and the entertainment factor provided by these businesses. Commissioner Von Deylen made the second. It was voted upon and carried.

16-12-52(a)(b)(c)(d)(e) Market East Phase I, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. The variances (a), (b), and (e) had been eligible for the block vote. Commissioner Von Deylen moved to approve all three, with the second by Commissioner Brown. It was voted upon and carried. Variance (c) was a request to allow the building to exceed the 60 feet allowed by code for an R-2 occupancy Type V-A construction. The additional height of the building, protected by an NFPA 13R system, is caused by rooftop structures. Commissioner Von Deylen moved to approve, with the second by Commissioner Mitchell. It was voted upon and carried. Variance (d) was a request to allow the stairway serving the podium to be of the same combustible materials as the upper four stories of the building. The owner does not wish to change materials at the bottom run of the stair. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried with one nay.

16-12-53(a)(b)(c)(d)(e) 16th Street Condominiums, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. Variances (a), (d), and (e) had been eligible for the block vote. Commissioner Von Deylen moved to approve all three, with the second by Commissioner Jordan and a nay by Commissioner Brown. Variance (b) was a request to omit the three-hour firewall separation between the first and second floors within the 2-story dwelling units. The podium will be protected by an NFPA 13 system which will extend into the second story of the three units. Following discussion, Commissioner Von Deylen moved to table, with the second by Commissioner Brown. It was voted upon and carried. Variance (c) was a request to allow the building to exceed the 60' height allowed by code, due to the height of the penthouses. These are to provide weather protection for the elevator and a small amenity area for tenants using the rooftop terrace. Following discussion, Commissioner Von Deylen moved to approve, with the second by Commissioner Jordan. It was voted upon and carried.

Breaking and reconvening: Chairman Hawkins recessed the Commission at 2:36p.m.. It was called back to order at 2:45 p.m.

16-12-54 Cummins International Distribution Headquarters, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. The request was to omit the freight elevator annunciator unit in the fire command center. The freight elevator serves the basement through second floor in the nine-story building, and is remotely located from the fire command center and fire department response point of the building. Following discussion, Commissioner Mitchell moved to approve, with the second by Commissioner Hite. It was voted upon and carried.

16-12-55 747 College Avenue Mixed Use Project, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. The request is to supersede variance 15-02-5(a) which omitted emergency power backup for the elevator. The wheelchair space on the third floor in the south stair will not be provided, due to an as-built construction discrepancy with the original design. The building is sprinklered. Following discussion, Commissioner Jordan moved to approve, with the second by Commissioner Hite. It was voted upon and carried with one nay vote.

16-12-56 Lafayette Family YMCA, Lafayette

Ed Rensink, RTM Consultants, and Jeremy Duff, KJG Architecture, spoke as proponents. The request is to allow the pre-engineered, metal building, with metal studs and drywall, to exceed the allowable area on the first floor. It will comply on the second floor. The building will be protected throughout, with the exception of over the swimming pool per a previous variance, by an NFPA 13 system. The fire barriers separating the Junior Achievement area, the day care and the health clinic areas, will be upgraded to a 2-hour rating. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Hite. It was voted upon and carried. Commissioner Richard abstained.

16-12-57(a)(b)(c) IU Swain Hall West Renovation, Bloomington

Ed Rensink, RTM Consultants, spoke as proponent. Variance (b) was eligible for the block vote. Commissioner Von Deylen moved to approve, with the second by Commissioner Brown. It was voted on and carried. Variance (a) was to allow temporary egress during construction during the November 2017 to June 2018 period. Variance (c) was to allow portions of the building to be occupied without an operable sprinkler system during the renovation. Following discussion, Commissioner Von Deylen moved to approve (a) and (c) with the condition that the variance was to be valid until June 30, 2018. Commissioner Mitchell made the second. It was voted upon and carried.

16-12-58 Indy Collegiate, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. The request is to allow the clear opening of the windows to be $\frac{3}{4}$ " to $1\frac{1}{2}$ " too close to the finished floor surface, and to omit the open-limiting devices. The building is almost completed, and corrections at this point would be a hardship. Following discussion, Commissioner Von Deylen moved to approve, with the second by Commissioner Brown. It was voted upon and carried. Commissioner Richard abstained.

16-12-59 USI Fuquay Welcome Center, Evansville

Ed Rensink, RTM Consultants, spoke as proponent. The request is to allow one exit to be provided from a space on the roof used for casual seating. The roof top area will have direct access to grade at the west end due to the slope and grade. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Mitchell. It was voted upon and carried.

16-12-60 Renaissance District Building 112, South Bend

Ed Rensink, RTM Consultants, spoke as proponent. The variance was to replace the request in a tabled variance, 16-11-30(a), with a request to not provide a 3-hour fire wall between the first floor of Building 112 and adjacent Building 84. These buildings are part of a renovation of the 1945 Studebaker complex, part of the National Register Historic district. Both buildings are protected throughout with an NFPA 13 system. Following discussion, Commissioner Von Deylen moved to approve, with the second by Commissioner Brown. It was voted upon and carried.

16-12-61 Renaissance District Building 113, South Bend

Ed Rensink, RTM Consultants, spoke as proponent. The request is to supersede previously approved variance 16-05-46 to a change in the structural system to be used for the new mezzanine construction. The building will be protected with an NFPA 13 system throughout and a gypsum board ceiling under the mezzanine. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Mitchell. It was voted upon and carried.

16-12-62(a)(b)(c) St. Mary's Catholic Church Muller Hall, Frankfort

Christina Colleser, RTM Consultants, and Daniel Olah, KJG Architecture, spoke as proponents. Variance (a) was a request to allow the building's fire area to have an occupant load of 354 without having to sprinkler the building. The building's use had been changed from storage to assembly space, adding 10 occupants, but not adding additional area. The travel distance is 60 feet, with five separate exits. Following discussion, Commissioner Von Deylen moved to approve variances (a)(b) and (c), with the second by Commissioner Hite. It was voted upon and carried with one nay.

16-12-63 Carmel Midtown North Parking Garage, Carmel

Ed Rensink, RTM Consultants, spoke as proponent. The request is to allow 15% of the building's exterior wall on the south side o not be within the 150' requirement for fire department access road coverage. This portion of the south exterior wall adjoins a Duke Energy utility property. Following discussion, Commissioner von Deylen moved to approve, with the second by Commissioner Furnish. It was voted upon and carried.

16-12-64 The Running Horse Barn, Nashville

Colleen Smith appeared as proponent. The request is to allow an early 1800's barn to be used for public assembly events without a sprinkler system. It would be available seasonally, since the space is not conditioned. The historic integrity of the working barn has been preserved, including a working hay fork, an exposed frame system, and board and batten siding. The owners will add ADA compliant parking, a ramp and restroom to the building. The county does not have a water system which will support a sprinkler system for the building. Following discussion, it was determined that the application had been submitted with an incorrect code and request. To allow the proponent time to correct the application, Commissioner Brown moved to table, with the second by Commissioner Von Deylen. It was voted upon and carried.

16-12-65 FHM Cancer Treatment Center MOB, Munster

Charles Keslin, Keslin Engineering, spoke as proponent. The request was to allow the MOB to not comply with seismic design requirements. The current design construction of the building exceeds the requirements of Design Category A, requirements which are based on a design model and not on actual occurrences of seismic activity and reaction in the area. The existing building has been granted this variance previously. Following discussion, Commissioner Jordan moved to approve, with the second by Commissioner Jordan. It was voted upon and carried.

16-12-66 Veteran's Way Extension, Carmel

Dennis Bradshaw, FP&C Consultants, spoke as proponent. The concrete tees in a new concrete parking garage are spaced less than 3 feet on center, and will have the sprinkler deflectors located in a horizontal plane 1" below the bottom of the tees in lieu of between each tee per current code. The design complies with the 2016 edition of NFPA 13. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Furnish. It was voted upon and carried.

16-12-67 Ambre Blends, Indianapolis

Dennis Bradshaw, FP&C Consultants, spoke as proponent. The request was to allow a new, non-sprinklered addition to have a portion of its exterior walls located 220 feet from the fire department access road. The building does not contain hazardous or flammable material storage, and fire department access openings will be provided per code. The proponent stated the site was tight, causing the request to exceed the 150 feet. Following discussion, Commissioner Mitchell moved to table to allow the proponent to explore options, with the second by Commissioner Von Deylen. It was voted upon and carried.

16-12-68 Central Lutheran Building, New Haven

Ed Rensink, RTM Consultants, spoke as proponent. The request is to allow the voltage drop to exceed the 2% allowed by the Energy Code, based upon the calculated assumption that maximum amperage will be drawn in all areas of the school. The design complies with the NEC which states "the total voltage drop of a branch circuit plus a feeder can reach 5% and still achieve reasonable operating efficiency." Following discussion, Commissioner Von Deylen moved no variance required, with the second by Commissioner Mitchell. It was voted upon and carried.

16-12-69 Cress Residence, West Lafayette

Patrick Grimes, PGrimes Consulting, spoke as proponent. The five windows in the master suite do not meet minimum egress requirements of 5.7 square feet, measuring 5.34 square feet. Chief Mike Francis of the Wabash Twp. Fire Department felt that a firefighter in full gear with SCBA will still be able to enter through the window and effect a rescue. Commissioner Von Deylen moved to approve, with the second by Commissioner Furnish. It was voted upon and carried.

16-12-70(a)(b)(c) Benton Central Jr-Sr High School, Oxford

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. A secured vestibule is being added to the school entrance to improve security. Variance (a) is to omit sprinklers or fire barriers in the addition. The small addition does not increase the fire hazard in the building. Variance (b) is to omit 1-hour fire-resistive construction in the corridor. The existing school does not have 1-hour corridors, but an existing smoke detection system will be expanded into the new corridor. Variance (c) is to omit the fire wall required when the new front lobby of the school places the building over area per current code. The original school was built under unlimited area provision in 1966. Following discussion, Commissioner Von Deylen moved to approve all three variances, with the second by Commissioner Hite. It was voted upon and carried with one nay by Commissioner Brown.

16-12-71 IU Kokomo Main Building Courtyard Infill, Kokomo

Dennis Bradshaw, FP&C Consultants, spoke as proponent. An existing, partially sprinklered building will have the interior courtyard infilled. Current code requires the additional square footage to be separated by structurally independent 4-hour fire walls. The request was to be allowed to separate by 2-hour fire barriers and protect the existing non-rated doors by close spaced sprinklers on the infill side. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Hite. It was voted upon and carried.

16-12-72(a)(b)(c) Indy Fuel Multi-Family & Locker Room, Fishers

Carrie Ballinger, RTM Consultants, spoke as proponent. The variances had been eligible for the block vote. Commissioner Von Deylen moved to approve all three, with the second by Commissioner Goeden. It was voted upon and carried.

16-12-73 Locked Up Live Mishawaka, Mishawaka

Carrie Ballinger, RTM Consultants, and Antonio Parisi, owner, spoke as proponents. The request was to allow the use of electromagnetic locks not mounted on the door leaf. The space is to be used as an escape room. Following a lengthy discussion, Commissioner Brown moved to approve the variance until June 1, 2018, as had been determined by an earlier escape room variance. Commissioner Von Deylen made the second. It was voted upon and carried with one nay vote.

16-12-74 Interior Tenant Finish for Escape Indianapolis, Indianapolis

Carrie Ballinger, RTM Consultants, spoke as proponent. The request was to allow the escape room to not comply with all Special Amusement Building requirements. Variance (b), heard first, was to allow the use of an electromagnetic lock which has a lit, push-to-exit button which will allow the door to spring open. The door will also open at the loss of power or activation of the fire alarm. Following discussion, Commissioner Von Deylen moved to approve with the condition that the variance was to be valid until June 1, 2018. Commissioner Mitchell made the second. It was voted upon and carried. Variance (a) was to allow the facility to not comply with all Special Amusement Building requirements. The proponent felt the requirements were excessive given the actual use of the building. Following discussion, Commissioner Brown

moved to approve with the condition that all finishes shall comply with Type A-3 and B occupancies. Commissioner Von Deylen made the second. It was voted upon and carried.

The following variances were given permission to be heard by Chairman Hawkins.

16-12-76 Hendricks Power Coop New Fleet Maintenance Building, Avon

Tim Callas, J&T Consulting, spoke as proponent. Also present was Greg Ternet, Hendricks Power Cooperative. The request was to omit sprinklers in the new S-1 facility, located a quarter to half mile from the nearest available public water. The proponent explained that the area of the building south of the fire wall was to be used for maintenance on the lifts on the trucks, each having to be fully extended and rotated 360° as part of the procedure. This is currently being done at night while outdoors, and the management would like to improve working conditions for the crew. Following discussion, Commissioner Brown moved to deny, with the second by Commissioner Richard. It was voted upon and carried.

16-12-77 Willow Dairy Housing, Williamsport

Tim Callas, J&T Consulting, spoke as proponent. The owner of the farm had built a four apartment unit for the eight workers on his farm. The request was to allow a 13D sprinkler system in lieu of the code-required 13R system. With no public water available, the facility is served by a well which could not support a 13R system. Following discussion of the number of sleeping areas which were available as compared to the stated number of employees, Commissioner Brown moved to approve with the condition that a 13D system was to be installed, and the occupancy was limited to ten. Commissioner Von Deylen made the second. It was voted upon and carried.

16-12-78(a)(b) 623 W. Washington Blvd. Apartments, Ft. Wayne

Tim Callas, J&T Consulting, spoke as proponent. A 1920's home had been converted in the 1950's to a 3-unit apartment house. It had been vacant for several years, and was now being repaired for use again. Variance (a) was to allow steps consisting of two or three risers to be placed at the exit door as they had been. They will be within four feet of the property line as they had been before. Variance (b) was to allow the existing 32" wide door to remain as the exit door. The hallway itself is only 34" wide. Jim Murua, Ft. Wayne Fire Department, did not object to the variances. Following discussions, Commissioner Furnish moved to approve both variances, with the second by Commissioner Von Deylen. It was voted upon and carried.

16-12-79 Indianapolis Marriott Downtown, Indianapolis

Christina Colleter, RTM Consultants, spoke as proponent. The lobby area is being remodeled to improve flow and to make better use of the area. The request is to allow the use of an occupant load factor of 11.5 in lieu of the occupant load factor 5 or 7. The required exit width and number of exits will comply in the fully sprinklered building. Following discussion, Commissioner Furnish moved to approve, with the second by Commissioner Hite. It was voted upon and carried.

16-12-80 Chatham Hills Banquet Barn, Westfield

Carrie Ballinger, RTM Consultants, spoke as proponent. Chairman Hawkins had been given a list of late application requests to be added to the end of the agenda, and had called this application out instead of the intended application. The proponent explained it was a request to use Chapter 34 to convert a barn to an assembly space. Commissioner Von Deylen moved to approve with the second by Commissioner Hite. It was voted upon and carried. Commissioner Richard abstained.

6. Request for reconsideration of denial for Johnny's Market, Indianapolis, variance # 16-06-09

No proponent was present for discussion of the request. No action was taken at this time.

7. Discussion of Rolling Maul request of time extension for sprinkler installation

Dave Bugay, Legacy Sports Club, spoke as proponent. He had requested an extension to the time line placed on installing sprinklers. The contracted installation was moving forward, but has not yet been completed, but Duke Energy will not install three-phase power to the site for the pump. This will affect the ordering of replacement pumps and its installation. Brian Alkire, Lafayette Fire Department, requested that the second floor space, to be used as a bar serving beer and wine, not be occupied until sprinkled. Chairman Hawkins stated a new variance application would need to be filed to request another extension for sprinkler installation.

8. Discussion of Sample Fire Prevention Ordinance

It was decided that, due to the late hour, the discussion of the Sample Fire Prevention Ordinance would be placed at the beginning of the January 3rd agenda.

9. Discussion and Commission action on timeliness of appeal

Mancino's Pizza and Grinders
Order – Muncie Fire Department

The Legal Department had returned the appeal without comment for the Commission to determine if it had been filed in a timely manner. There was nothing showing the date of the original submission the owner said he had submitted, and the only date available was the date of the email resubmitting the appeal paperwork. Following a brief discussion, Commissioner Mitchell moved to grant the appeal, with the second by Commissioner Von Deylen. It was voted upon and carried.

10. Discussion and Commission action on administrative law judge decision

Indiana Grand Stables
Cause No. DHS-1612-FPBSC-009
Non-Final Order of Dismissal

Rathskeller Restaurant
Cause No. DHS-1508-FPBSC-005
Notice of Non-final Order of Dismissal

Commissioner Von Deylen moved to affirm the Non-Final Orders of Dismissal, with the second by Commissioner Mitchell. It was voted upon and carried.

11. Third Party Approval

Professional Service Industries, Inc.
1748 33rd St.
Orlando, Florida 32839

Kevin Troy, Fire and Building Code Enforcement, introduced the request and recommended approval. Commissioner Von Deylen moved to approve, with the second by Commissioner Mitchell. It was voted upon and carried.

12. Comments

Chairman Hawkins thanked everyone for coming.

13. Adjournment

Chairman Hawkins adjourned the meeting at 5:25 p.m.